

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KHALIF ALSTON,
Petitioner,

CIVIL ACTION

v.

**SUPERINTENDENT ROBERT
GILMORE,
THE DISTRICT OF ATTORNEY OF THE
COUNTY OF PHILADELPHIA, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,**
Respondents.

NO. 15-2671

ORDER

AND NOW, this 26th day of June, 2018, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Khalif Alston, the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated May 22, 2018, and the record in this case, no objections having been filed notwithstanding the passage of time for doing so, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated May 22, 2018, is **APPROVED** and **ADOPTED**;
2. Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Khalif Alston, is **DENIED WITH PREJUDICE** and **DISMISSED** without an evidentiary hearing for the reasons stated in the Report and Recommendation; and,
3. The Clerk of Court shall **MARK** this case **CLOSED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural

ruling(s) with respect to petitioner's claim(s). *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.